

Dkt.: 56534-B/JPW/JSG

Section 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jeannette Whitcomb
Serial No. : 09/320,299
Filed : May 26, 1999
For : MEANS AND METHODS FOR MONITORING NON-NUCLEOSIDE REVERSE THERAPEUTIC DECISION IN THE TREATMENT OF HIV/AIDS

#3

1185 Avenue of the Americas
New York, New York 10036
July 1, 1999

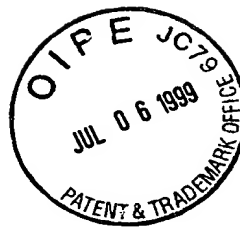
Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

COMMUNICATION IN RESPONSE TO THE JUNE 17, 1999
NOTICE TO FILE MISSING PARTS OF APPLICATION

This Communication is submitted in response to the June 17, 1999 Notice to File Missing Parts of Application issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Notice is enclosed herewith as **Exhibit A**. A response to the June 17, 1999 Notice is due August 17, 1999. Accordingly, this Communication is being timely filed.

In a response to the June 17, 1999 Notice, applicants attach hereto as **Exhibit B**, an original Declaration and Power of Attorney signed by Jeannette Whitcomb. The Declaration refers to the application's above-identified serial number and filing date. The surcharge for submitting the Declaration and Power of Attorney under 37 C.F.R. §1.16(e) is SIXTY-FIVE DOLLARS (\$65.00) for a small entity. Applicants submit an original Verified Statement Claiming Small Entity Status signed by Martin H. Goldstein, a copy of which was submitted upon the filing of this patent application hereto as **Exhibit C**. A check in the sum of SIXTY-FIVE DOLLARS (\$65.00) is enclosed to cover the surcharge fee under 37 C.F.R. §1.16(e).



Applicant : Jeannette Whitcomb
Serial No.: 09/320,299
Filed : May 26, 1999
Page 2

No fee, other than the SIXTY-FIVE DOLLARS (\$65.00) surcharge fee is deemed necessary in connection with the filing of this Communication. If any other fees are required, authorization is hereby given to charge the amount of any such fees to Deposit Account No. 03-3125.

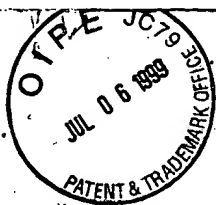
Respectfully submitted,

Albert Wai-Kit Chan

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents
Washington, D.C. 20231.

Albert Wai-Kit Chan 7/1/99
Albert Wai-Kit Chan Date
Reg. No. 36,479

John P. White
Registration No. 28,678
Albert Wai-Kit Chan
Registration No. 36,479
Attorneys for Applicant(s)
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. No. (212) 278-0400



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/320,299	05/26/99	WHITCOMB	J 56534-B (JPW)

COOPER & DUNHAM LLP
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036

0232/0617

NOT ASSIGNED

1643

DATE MAILED:

06/17/99 BM

8/17/99

12/14/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted.

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of **\$55.00** for a small entity in compliance with 37 CER 1.27, or **\$130.00** for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 65.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

BEST AVAILABLE COPY

00000047 09200399
11M11L 6651/0/10
0501 12 10